

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

ALL CASES

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**ORDER APPOINTING CERTIFIED PUBLIC ACCOUNTANT TO MAINTAIN AND
ACT AS ESCROW AGENT FOR THE COMMON BENEFIT FEE FUND**

On July 23, 2021, the Court entered an Order establishing a Common Benefit Fee Fund. (Doc # 3794) That Order contemplated a subsequent Order specifically directed to the appointment of a Certified Public Account to maintain the Common Benefit Fee Fund account and to act as an Escrow Agent over the Common Benefit Fee Fund. Plaintiffs Executive Committee has filed a motion requesting the appointment of Mr. Gregory Dantio of the firm of Dantio, Grabo & Company as Escrow Agent. Having reviewed the motion, qualifications and fee schedule of Mr. Dantio, the Court hereby grants Plaintiffs Executive Committee's motion and appoints Mr. Dantio (the CPA) as the CPA to maintain the account and to act as the Escrow Agent over the Common Benefit Fee Fund.

1. The CPA will oversee the Common Benefit Fee Fund, keep detailed records of all deposits and withdrawals, prepare tax returns and other tax filings, as required, and provide monthly statements to the Court and to Plaintiffs' Liaison Counsel.

2. Plaintiffs' Liaison Counsel shall provide a copy of the Court's Order (Doc # 3794) to the CPA.

3. In addition to maintaining the detailed records of all deposits and withdrawals, the preparation of tax returns and filings, and reporting to the Court and Plaintiffs' Liaison Counsel, the CPA is appointed to serve as the Escrow Agent for the Funds which must be in an interest bearing account established by the Plaintiffs' Liaison Counsel at PNC Bank in Cleveland, Ohio, into which the deposits of the common benefit fee assessments from Summit and Cuyahoga Counties shall be received. The name on the account shall be "In Re National Prescription Opiate Litigation Fee Fund." All funds deposited into the account shall be held subject to the Court's July 23, 2021 Order (Doc # 3794) and until further Order of this Court.

4. The hourly rate payable to the CPA shall be \$195 per hour for work performed by Mr. Gregory Dantio and other shareholder CPAs within the firm, \$140-\$170 per hour for work performed by other non-shareholder CPAs within the firm, and \$80 per hour for work performed by administrative assistants, which shall be utilized where appropriate to control costs. The CPA shall submit to the Court and Plaintiffs' Liaison Counsel detailed quarterly bills for work performed reflecting the services performed with respect to the Fund and the amount of time each service required. Once approved by the Court, all statements for services shall be paid for out of funds in the Common Benefit Fee Fund account.

IT IS SO ORDERED.

/s/ Judge Dan Aaron Polster

JUDGE DAN AARON POLSTER

Dated: July 27, 2021